

1 MITCHELL D. GLINER, ESQ.
Nevada Bar #003419
2 3017 West Charleston Blvd., #95
Las Vegas, NV 89102
3 (702) 870-8700
(702) 870-0034 Fax
4 Attorney for Plaintiff

5
6 UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
7

8 JILL DALE,)
9)
Plaintiff,)
10) No.
vs.)
11)
CHASE AUTO FINANCE CORP.)
12)
Defendant.)
13)

JURY DEMANDED

14 COMPLAINT

15 JURISDICTION

16 1. The jurisdiction of this Court attains pursuant to the
17 FCRA, 15 U.S.C. Section 1681(p), and the doctrine of supplemental
18 jurisdiction. Venue lies in the Southern Division of the Judicial
19 District of Nevada as Plaintiff's claims arose from acts of the
20 Defendant perpetrated therein.
21

22 PRELIMINARY STATEMENT

23 2. The Plaintiff brings this action for damages based upon
24 Defendant's violations of the Fair Credit Reporting Act, 15 U.S.C
25 § 1681 et seq. (hereinafter referred to as "FCRA"), and of state
26 law obligations brought as supplemental claims including, but not
27 limited to, *defamation*.
28

3. Plaintiff is a natural person and is a resident and citizen of the State of Nevada and of the United States. Plaintiff is a "consumer" as defined by § 1681a(c) of the FCRA.

4. Defendant Chase Auto Finance Corp., is a furnisher of information as contemplated by FCRA § 1681s-2(a) & (b), who regularly and in the ordinary course of business furnishes information to one or more consumer reporting agencies about consumer transactions or experiences with any consumer.

FACTUAL ALLEGATIONS

5. Plaintiff's creditworthiness has been repeatedly compromised by the acts, obduracy and general indifference of the Defendant.

6. During August, 2010, Plaintiff settled her account with Defendant for a lump sum payment of \$7,000.00 (Exhibit 1).

7. As a result of the resolution with Plaintiff, Defendant cancelled the remaining debt on the account (Exhibit 2).

8. Notwithstanding, Defendant continued to report Plaintiff's account as a charge-off without any regard to the prior settlement.

9. Plaintiff subsequently disputed Defendant's account with the National Credit Reporting Agencies requesting that Defendant's account be reported to reflect the agreed upon settlement.

10. Experian conveyed Plaintiff's dispute to Defendant.

11. On October 13, 2010, Experian reported that Defendant had "updated" Plaintiff's account to reflect a \$2,480.00 charge-off with no notification of any settlement (Exhibit 3).

1 12. Defendant continues to report Plaintiff's account as a
2 charge-off to the National Credit Reporting Agencies without any
3 regard to the account's settlement (Exhibits 4 & 5).
4

5 STATEMENT OF CLAIM AS AGAINST DEFENDANT

6 13. In the entire course of its action, Defendant willfully
7 and/or negligently violated the provisions of the FCRA in the
8 following respects:

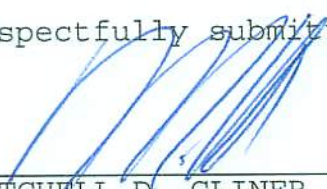
- 9 a. By willfully and/or negligently failing to comport
10 with FCRA § 1681s-2(b).
11

12 PRAYER FOR RELIEF

13 THEREFORE, Plaintiff prays that the court grant the
14 following relief as against Defendant:

- 15 a) actual damages;
16 b) punitive damages;
17 c) attorney's fees; and
18 d) costs.

19 Respectfully submitted,
20

21 
22 _____
23 MITCHELL D. GLINER, ESQ.
24 Nevada Bar #003419
25 3017 West Charleston Boulevard
26 Suite 95
27 Las Vegas, NV 89102
28 Attorney for Plaintiff



P.O. BOX 901076
FORT WORTH, TX 76101-2076

0000044284 Page 1 of 2

August 7, 2010 through September 06, 2010

Loan Account: 00628350143277

Customer Service Information

Visit our Website:	www.chase.com
Payment by Phone:	1-800-346-9127
Account Information	1-800-346-9670
Hearing Impaired	1-800-524-9765

Loan Information Summary

Interest Rate	23.50%
Principal Balance as of 09-06-10	\$2,380.40
Current Payment Amount	\$0.00
Amount Past Due	\$0.00
Total Fees and Charges	\$0.00
Total Payment Due on 09-25-10	\$0.00



44284 OTS 001 24810 - 1100000000000
JILL DALE
560 TAM O SHANTER
LAS VEGAS, NV 89109-1493

Chase Presents The Following Opportunities To You

Don't Waste Paper Managing Your Auto Loan Account. With Chase Paperless Auto Loan Statements, You Can Easily Access Your Auto Loan Information Online--Which Means More Flexibility, More Convenience And Less Waste. Sign Up Today. Visit chase.com, Log On To Your Account And Click "Go Paperless."

Visit chase.com For Your Auto Financing Needs. Did You Know That At chase.com You Can View Your Account Details, Schedule A Payment And Change Your Address 24/7? You Can Also Set Up Account Alerts To Your Mobile Phone Or E-Mail. Plus, You'll Have Access To Information About Special Offers For Chase Customers.

Important Messages About Your Account

- No Payment Required
- For a current payoff quote, please visit our website at www.chase.com.
- See reverse of statement for important information pertaining to your loan.

Activity Since Your Last Statement

Transaction Date	Transaction Description	Transaction Total
08-11-10	PAYMENT - THANK YOU (PRINCIPAL \$6640.74) (INTEREST \$81.32, FEES \$277.94)	(\$7,000.00)

Thank you for being a Chase customer. We appreciate your business.

Manage your account online anytime at
www.chase.com

Installment Payment Coupon

(To ensure proper credit, return this portion with your payment)

JILL DALE
Account Number 00528350143277
Due Date 09-25-10 ☒
09-25-10 Payment Due \$0.00
Amount Past Due as of 09/06/10 \$0.00
Total Fees and Charges \$0.00
Total Payment Due on 09-25-10 \$0.00

- Please make checks payable to Chase Auto Finance
Write your account number on your check
Principal Reduction: Check here if you are including a principal reduction along with your regularly scheduled payment.
DO NOT CHECK BOX WHEN MAKING A PAYOFF (*see reverse)
Check box if address has changed. Complete requested information on reverse side.

Amount Enclosed \$

5000090000000010000000528350143277000000000416146

EXHIBIT /

CHASE AUTO FINANCE
P.O. BOX 78050
PHOENIX AZ 85062-8050

1:5000090221: 528350143277



201 N CENTRAL AVE AZ1-1196
PHOENIX AZ 85004

Tax Year 2010 Form 1099-C Cancellation of Debt (Copy B)

This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if taxable income results from this transaction and the IRS determines that it has not been reported.

Debtor's Information

25696 TAS 1Z1 2611 - 0326 15 (00.350)

DALE, JILL
560 TAM O SHANTER
LAS VEGAS, NV 89109

Creditor's Information

Federal ID Number: 13-4994650

JPMORGAN CHASE BANK NA

CHASE AUTO FINANCE - NATL RECOVERY GROUP

Form 1099-C Questions

Phone Support: 1-800-592-9861

Debtor's ID Number: 576864198

Original

Summary of Form 1099-C Cancellation of Debt

(OMB No. 1545-1424)

Box	Description	Amount	Box	Description	Amount
1.	Date Canceled	(See Details)	5.	Was borrower personally liable for repayment of the debt?	(See Details)
2.	Amount of debt canceled	\$2,021.14	6.	Bankruptcy	No
3.	Interest if included in box 2	\$0.00	7.	Fair market value of property	\$0.00
4.	Debt Description	AUTO LOAN OR AUTO LEASE			

Details of Form 1099-C Cancellation of Debt

(OMB No. 1545-1424)

Account Number	Box #1 Date canceled	Box #2 Amt. of debt canceled	Box #3 Int. included in box 2	Other Boxes
400452528350143277	10/02/2010	\$2,021.14	\$0.00	#4 Debt description AUTO LOAN OR AUTO LEASE #5 Was borrower personally liable for repayment of the debt? Yes #6 Bankruptcy No

EXHIBIT 2



Report Number:

3224-3694-24

Online Credit Report from Experian for:

JILL S DALE

Report date: October 13, 2010

Summary of Results

Details of Investigation Results

Important Message from Experian

Know your rights

View a complete copy of your corrected report

Go Back >>

We completed any items you disputed with the sources of the information and processed any other requests you made. The following shows the revision(s) made to your file as a result of our investigation. If you still question an item, then you may want to contact the source of the information personally.

Contact us

Need to view your report again or dispute information? Access your report online at www.experian.com/viewreport.
You may also contact us by mail at:

NCAC

P.O. Box 9701

Allen, TX 75013

Or, by phone at:

1 800 493 1058

Monday through Friday, 9 am to 5 pm in your time zone.

[Back to top](#)**Results****How to read your results**[Back to top](#)

- Deleted - This item was removed from your credit report
- Remains - This item has been verified as accurate
- Updated - A change was made to this item; review this report to view the change. If ownership of the item was disputed, then it was verified as belonging to you.
- Reviewed - This item was either updated or deleted; review this report to learn its outcome

Credit Items

CAP ONE

Account Number: 517805226013....

CHASE

Account Number: 52835014....

Outcome: Updated

Outcome: Updated

Details Of Investigation Results[Back to top](#)**Potentially Negative Items or items for further review**[Back to top](#)

This information is generally removed seven years from the initial missed payment that led to the delinquency. Missed payments and most public record items may remain on the credit report for up to seven years, except Chapters 7, 11 and 12 bankruptcies and unpaid tax liens, which may remain for up to 10 years. A paid tax lien may remain for up to seven years. Transferred accounts that have not been past due remain up to 10 years after the date the account was transferred.

Credit Items**EXHIBIT 3**

Between Mar 2010 and Mar 2010, your credit limit/high balance was \$2,669
 Between Feb 2010 and Feb 2010, your credit limit/high balance was \$2,643
 Between Jan 2010 and Jan 2010, your credit limit/high balance was \$2,617
 Between Dec 2009 and Dec 2009, your credit limit/high balance was \$2,591
 Between Nov 2009 and Nov 2009, your credit limit/high balance was \$2,565
 Between Oct 2009 and Oct 2009, your credit limit/high balance was \$2,540
 Between Sep 2009 and Sep 2009, your credit limit/high balance was \$2,514
 Between Aug 2009 and Aug 2009, your credit limit/high balance was \$2,456
 Between Jul 2009 and Jul 2009, your credit limit/high balance was \$2,420
 Between Jun 2009 and Jun 2009, your credit limit/high balance was \$2,394
 Between May 2009 and May 2009, your credit limit/high balance was \$2,369
 Between Apr 2009 and Apr 2009, your credit limit/high balance was \$2,342
 Between Mar 2009 and Mar 2009, your credit limit/high balance was \$2,319
 Between Feb 2009 and Feb 2009, your credit limit/high balance was \$2,293
 Between Jan 2009 and Jan 2009, your credit limit/high balance was \$2,004
 Between Dec 2008 and Dec 2008, your credit limit/high balance was \$1,984
 Between Nov 2008 and Nov 2008, your credit limit/high balance was \$1,900
 Between Oct 2008 and Oct 2008, your credit limit/high balance was \$1,876

Creditor's Statement:

Account closed at credit grantor's request.

CHASE**Address:**

PO BOX 901076
 FORT WORTH, TX 76101
 (800) 955-9900

Account Number:

52835014....

Address Identification Number:

0478091127

Status:

Account charged off. \$2,480 written off.

Status Details:

This account is scheduled to continue on record until Jan 2017.

This item was verified and updated on Oct 2010.

Date Opened:

07/2007

Reported Since:

09/2007

Date of Status:

09/2010

Last Reported:

10/2010

Type:

Installment

Terms:

60 Months

Monthly Payment:

\$0

Responsibility:

Individual

Credit Limit/Original Amount:

\$13,759

High Balance:

NA

Recent Balance:

\$0

Recent Payment:

\$0

Account History:

Charge Off as of Oct 2010, Sep 2010

30 days past due as of Apr 2010 to Aug 2010, Jan 2010,

Nov 2008 to Mar 2009, Jul 2008

Balance History:

08/2010 \$2,433

07/2010 \$9,327

06/2010 \$9,544

05/2010 \$9,747

04/2010 \$9,940

03/2010 \$10,137

02/2010 \$10,326

01/2010 \$10,527

12/2009 \$10,707

11/2009 \$10,987

10/2009 \$10,788

09/2009 \$10,583

08/2009 \$11,176

07/2009 \$11,283

CHASE AUTO FINANCE #52835014****

POB 901076
FT WORTH, TX 76101
(800) 336-6675

Balance: \$0
Date Updated: 09/2010
High Balance: \$13,759
Past Due: \$0
Terms: \$395 for 60 months

Pay Status: >Charged Off as Bad Debt<
Account Type: Installment Account
Responsibility: Individual Account
Date Opened: 07/2007
Date Closed: 09/2010

Loan Type: Automobile

Remark: Dispute resolved reported by grantor

Estimated date that this item will be removed: 07/2017

EXHIBIT 4

Scheduled Payment Amount: \$50	Date of Last Activity: 10/2005
Date Major Delinquency First Reported:	Months Reviewed: 2
Creditor Classification:	Activity Designator: Paid and Closed
Charge Off Amount:	Deferred Payment Start Date:
Balloon Payment Amount:	Balloon Payment Date:
Date Closed:	Type of Loan: Education Loan
Date of First Delinquency: N/A	
Comments:	

81-Month Payment History

No 81-Month Payment Data available for display.

CHASE	52835014XXXX	07/2007	\$0	10/2010	\$0	CHARGE-OFF
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CHASE AUTO FINANCE

PO Box 901076
Fort Worth, TX-761012076
(800) 336-6675

Account Number:	52835014XXXX	Status:	CHARGE-OFF
Account Owner:	Individual Account.	High Credit:	\$13,759
Type of Account ² :	Installment	Credit Limit:	
Term Duration:	60 Months	Terms Frequency:	Monthly (due every month)
Date Opened:	07/2007	Balance:	\$0
Date Reported:	10/2010	Amount Past Due:	\$0
Date of Last Payment:	09/2010	Actual Payment Amount:	\$7,000
Scheduled Payment Amount:	\$395	Date of Last Activity:	N/A
Date Major Delinquency First Reported:		Months Reviewed:	36
Creditor Classification:		Activity Designator:	N/A
Charge Off Amount:	—	Deferred Payment Start Date:	
Balloon Payment Amount:		Balloon Payment Date:	
Date Closed:		Type of Loan:	Auto
Date of First Delinquency:	08/2010		
Comments:	Charged off account		

81-Month Payment History

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2010	30	*	*	30	30	30	30	30	CO			
2009	30	30	30	*	*	*	*	*	*	*	*	*
2008	*	*	*	*	*	*	30	*	*	*	30	30
2007							*	*	*	*	*	*

PRIMUS	3405XXXX	02/2003	\$0	03/2004	PAYS AS AGREED
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PRIMUS AUTOMOTIVE

EXHIBIT 5